

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ANTHONY J. DONATO,

Petitioner,

Civil No. 13-3367 (MJD/JJG)

v.

DENESE WILSON, Warden,

Respondent.

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation are **ADOPTED**;
2. Petitioner's application to proceed in forma pauperis, (Docket No. 5), is **DENIED AS MOOT**;
3. Petitioner's "Motion for Stay and Abeyance," (Docket No. 14), is **DENIED**; and
4. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 11, 2014

s/Michael J. Davis

MICHAEL J. DAVIS

Chief United States District Judge